

## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Date Purchased: April 23, 2007

## COUNTY

Date Filed:

Court Date:

ATTORNEY(S): Kathleen A. Zebrowski Esq. : U.S. Attorney's Office - SDNY PH: 212-637-2710  
ADDRESS: 86 Chambers Street New York N.Y. 10007 File No.:

UNITED STATES OF AMERICA,

vs.  
**MARC W. STEIN,**

Plaintiff(s)/Petitioner(s)

Defendant(s)/Respondent(s)

STATE OF NEW YORK, COUNTY OF WESTCHESTER SS.:I, Shirley Buyer, being duly sworn deposes and says:Deponent is not a party herein, is over 18 years of age. On 5/9/07 at 5:30 PM  
at 1178 FARMERS MILLS ROAD CARMEL, NY 10512, deponent served the within

## Summons and Verified Complaint

with Index Number 07 CV 3255, and Date Purchased April 23, 2007 endorsed thereon,  
on: **MARC W. STEIN**, **Defendant** therein named.#1 INDIVIDUAL  By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.#2 CORPORATION  By delivering to and leaving with \_\_\_\_\_ and that deponent knew the person so served to be Managing Agent of the corporation, and authorized to accept service on behalf of the corporation.*Service was made in the following manner after your deponent was unable, with due diligence, to serve the witness/defendant in person, and an attempt to locate the defendant's place of employment.*#3 SUITABLE AGE PERSON  By delivering a true copy of each to SCOTT STEIN-BRATHER a person of suitable age and discretion. Said premises is recipient's [ ] actual place of business [ ] dwelling house (usual place of abode) within the state.#4 AFFIXING TO DOOR  By affixing a true copy of each to the door of said premises, which is recipient's: [ ] actual place of business [ ] dwelling house (place of abode) within the state.#5 MAIL COPY  On 5/11/07, deponent completed service under the last two sections by depositing a copy of the SCOTT STEIN-BRATHER COMPLAINT to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of NY Certified Mail No. \_\_\_\_\_Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called thereat on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_#6 NON-SRVC  After due search, careful inquiry and diligent attempts, I have been unable to effect process upon the person/entity being served because of the following: [ ] Unknown at Address [ ] Evading [ ] Moved left no forwarding [ ] Address does not exist [ ] Other: \_\_\_\_\_#7 DESCRIPTION  A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:  
(use with #1, 2 or 3) Sex W Color of skin WF Color of hair BR Age 30-35 Height 5'7"  
Weight 170 Other Features: \_\_\_\_\_#8 WIT. FEES  the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.#9 MILITARY SRVC  Deponent asked person spoken to whether the recipient was presently in military service of the United States Government or of the State of \_\_\_\_\_ and was informed that recipient was not. Recipient wore ordinary civilian clothes and no military uniform.#10 OTHER Sworn to before me on this 16 day of May 2007X Shirley Buyer  
PROCESS SERVER

Please Print Name Below Signature

Ellen Eakley  
Notary Public, State of New York  
No. 01EA5085889  
Qualified in Westchester County  
Commission Expires Sept. 29, 2009

Invoice•Work Order # 0716915